

Confidential Claim Retracted

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Governor's Office

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From: Tom Loomis, OEPR, Dept. of Interior, AS/PBA

Subject: Meeting re Planned Closure of Jackpile Uranium
Mine (10/16/80)

The meeting was attended by Laguna tribal officials and DOI staff from AS/EM, AS/IA, AS/PBA, GS and BIA (attendance list attached). Discussion centered on the reclamation plan submitted to the GS by Anaconda Copper Company September 11, 1980. Reviews by GS and the Laguna tribal consultants (including CERT) indicate that the plan is sketchy, incomplete and not adequate. My review confirms this; the plan is overly simplistic. It lacks both standards to which the area will be reclaimed and timetables for accomplishing this, essential radiologic and hydrologic data is not presented, and no analyses as to effectiveness of proposed reclamation measures are presented.

The need for an EIS covering approval of the reclamation plan was discussed and it seemed to be recognized by most of the participants that one would be required. The GS has estimated that the EIS will take 11 to 14 months and concern was expressed regarding scheduling this and the projected reclamation activity for an orderly sequence of operations some major reclamation decisions would have to be made prior to completion of an EIS. Anaconda has indicated that surface mining operations will be completed by 2/81 and, unless reclamation plans are approved promptly, most of the work force will be laid off at that time. GS staff is concerned that any reclamation orders or consents granted in the interim would be vulnerable if challenged.

Tribal officials have identified several specific concerns they have regarding reclamation. These include rerouting a portion of SR 279 that was routed around the mining operation, reclaiming the area to a condition suitable for unrestricted livestock grazing, some stockpiled lowgrade ore left in such a manner that it may be recovered or processed in future years, and all company mineral resource information from the property left at the Tribe's disposal. Reclamation must be such that no longterm maintenance or future corrective actions will be required.

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There were several significant questions which surfaced briefly during the meeting but could not be answered. These include the estimated reclamation schedule, duration of underground mining, existing and post-reclamation surface radioactivity levels, amount of stockpiled lowgrade material that will be left onsite, and specific reclamation objectives or guidelines. Anaconda responses to the GS and CERT critiques of the reclamation plan should provide answers to most of these. Another GS/BIA/Laguna meeting is scheduled for December 8, 1980; the company's response is expected prior to that.

RECOMMENDATIONS:

Beyond these concerns, no specific reclamation objectives seemed evident. I suggest as a starting point the DOI objectives be:

- No post reclamation maintenance required;
- Meet reasonable land use desires of Tribe;
- Residual surface radioactivity within acceptable limits;
- All slopes reduced to stable condition;
- Highwalls reduced or left in stable condition;
- All disturbed areas revegetated - self sustaining and suitable for grazing;
- No contaminated surface or underground waters;
- All unsafe conditions corrected (vents, drill holes, etc.);
- All structures, improvements, facilities either removed or - if Tribe desires - left in usable uncontaminated condition;
- Complete mineral exploration records and current mine maps left for Tribe's use.

Incorporating these, appropriate reclamation guidelines could be:

- Radioactivity reduced to not over 2X natural local background.
- Unstable highwalls reduced (graded and revegetated).
- Highwalls within 1 mile of occupied buildings reduced.
- Highwalls within 1/8 mile of main roads reduced.
- Pits backfilled to 10 feet above Jackpile sandstone formation.
- All slopes - waste piles, disturbed areas, and cuts less than 50 feet high-reduced to 5 to 1 or less.
- All disturbed areas revegetated - self sustaining, grazable.
- All drill holes, vents, shafts located and permanently plugged. No access by groundwater.

- Natural drainage restored - stable banks (no erosion from 100 year storm).
- Surface water not degraded (quality of water leaving area as good or better than that entering).
- Post reclamation monitoring -
 - vegetation - self sustaining for at least 5 years
 - radionuclide uptake 10 years
 - groundwater - quality 5 years
 - surface water - quality 3 years
 - radioactivity - surface radon survey 1 year following reclamation

In conclusion, it seems obvious that an EIS is required for the GS and BIA decisions or approvals in regard to this reclamation action. Probably, the most critical arguments favoring this decision are that this is the first major reclamation of an open pit uranium mine (incidentally, one of the largest open pit mines in the world) and the standards to which it is to be reclaimed are not established. It is a pioneer effort and will certainly be subject to a concerned public scrutiny.

The EIS process should be promptly initiated with GS and BIA as joint lead and the Laguna Tribe, EPA and possibly the IHS invited to assist as cooperators. I will be glad to assist in this effort as needed.

It is recognized that certain actions on the part of Anaconda must be authorized for the sake of expeditious operations and correction of hazards to public health and safety. There are also a number of actions which would have only minor environmental effects and would not foreclose future reclamation options. These may be undertaken during the NEPA compliance. Once an EIS schedule is established, this can be reviewed with CEQ.

Finally, it would be well to carry this process out as openly as possible, seeking to keep the public fully informed on progress of the operation and the standards established for the reclamation. As a means for achieving this, an advisory group such as the Oil Shale Environmental Advisory Panel could be used. Possible composition could include the Tribe, GS, BIA, OEPR, FWS, IHS, EPA, NRC, GS, State of New Mexico, and Anaconda. Criteria for participation would be based on jurisdiction and/or expertise. This group would be advisory to the GS Mining Supervisor. Traditional agency roles would not change but a consensus would be sought between the Tribe, GS, BIA and OEPR on the reclamation requirements.



Enclosure